

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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RICHARD CASTELLINI	)
	)
	)
Plaintiff,	)
	)
v.	) <b><u>JOINT MOTION TO CONTINUE</u></b>
	) <b><u>STATUS CONFERENCE</u></b>
HARLEY G. LAPPIN (in his official capacity as Director of the Bureau of Prisons),	) Case. No. 05-CV-10220
	)
Defendant.	)

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Plaintiff Richard Castellini and Defendant Harley G. Lappin hereby jointly move to continue the Status Conference scheduled for Friday, May 20, 2005 in the above-referenced matter to June 1, 2005. As grounds for this Motion the Parties state as follows:

1. On April 12, 2005, the Court allowed Plaintiff's Motion for a Temporary Restraining Order and/or Preliminary Injunction.
2. On May 4, 2005, a Status Conference was held. The parties reported that they had recently initiated settlement discussions which could result in the disposition of this case. The parties agreed to continue these discussions and report back to the Court on May 20, 2005.
3. Since May 4<sup>th</sup>, the parties have conferred and are in substantial agreement on a resolution to this dispute. The terms of a settlement agreement are currently being negotiated. While an agreement has not yet been reached, the parties anticipate that an agreement will be forthcoming within the next week. Thus, the parties jointly request that the May 20<sup>th</sup> Status Conference be continued to June 1, 2005, at which time the parties expect to report to the Court that this matter has been settled.

**CONCLUSION**

WHEREFORE the parties request that the Court allow the instant Motion and continue the May 20<sup>th</sup> Status Conference to June 1, 2005.

Respectfully submitted,

HARLEY G. LAPPIN

By his attorney,

MICHAEL J. SULLIVAN  
United States Attorney

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RICHARD CASTELLINI

By his attorneys,

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Dated: May 19, 2005

**Local Rule 7.1(A)(2) Certification**

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel have conferred in good faith to resolve or narrow the issues raised in this motion, and that the parties jointly reached the agreement represented above.

**Certificate of Service**

I hereby certify that a true copy of the above document was served upon counsel for defendants by facsimile and first-class mail on May 19, 2005.

/s/ David S. Schumacher  
David S. Schumacher

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